

REMARKS

[0001] Claims 1-30 are pending in the application. Claims 1 stands rejected under 35 U.S.C. § 102(b) as being unpatentable over Schaefer et al. (US 5,826,268) (hereinafter “Schaefer”). Claims 2 – 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 11-30 are allowed.

[0002] In response, Applicants have amended independent Claim 1 to include the subject matter of canceled Claim 2. While Applicants have amended Claim 1 and cancelled Claim 2 from further consideration, Applicants are not conceding in this application that those claims are not patentable over Schaefer. The present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the examiner. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

AMENDMENTS TO CLAIMS

[0003] Independent Claim 1 has been amended to include the subject matter of Claim 2 rewritten in independent form with the limitations of the original base Claim 1 and intervening claims. As noted above and in the Office Action, Claims 2-10 stand objected to, but would be allowable if rewritten to include all of the limitations of the base claim, as has been done in this case. Applicants express appreciation to the Examiner for this acknowledgement. As such, applicants respectfully assert that amended independent Claim 1 and its dependent Claims 3-10 are allowable.

RESPONSE TO CLAIM REJECTIONS UNDER 35 U.S.C. §102(b)

[0004] Claim 1 stands rejected under 35 U.S.C. § 102(b) as being unpatentable over Schaefer. The Examiner states that, “As per claim 1, Schaefer et al. disclose a cache module configured....., an identification module configured..... and a refresh module configured.....(see at least the abstract and col. 4, lines 1-40).” While Applicants do not agree with the Examiner’s position, Applicants have amended Claim 1 to include the allowed subject matter of Claim 2. Consequently, Applicants respectfully submit that Schaefer fails to teach all of the limitations of amended Claim 1. Applicants request prompt allowance.

CONCLUSION

[0005] As a result of the presented amendments and remarks, Applicants assert that Claims 1 – 10 are patentable and in condition for prompt allowance as well as the currently allowed Claims 11-30. Should the Examiner require additional information, Applicants respectfully request that the Examiner notify them of any such need. If any impediments to the prompt allowance of the claims can be resolved by a telephone conversation, the Examiner is respectfully requested to contract the undersigned.

Respectfully submitted,

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